JAN 22 2004

PATENT Customer No. 22,852 Attorney Docket No. 04329.2622

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re Application of: |) |
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| Gaku MINAMIHABA, et al. |) Group Art Unit: 2823 |
| Serial No.: 09/932,943 |) Examiner: Lee, Hsien Ming |
| Filed: August 21, 2001 |) |
| For: SLURRY FOR CHEMICAL MECHANICAL POLISHING AND METHOD OF MANUFACTURING SEMICONDUCTOR DEVICE |)))) |
| Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | · |
| Sir: | |

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. Applicants are filing this Supplemental Information Disclosure Statement (IDS) within three months of the filing date of a Request for Continued Examination for the above application. This IDS supplements the IDS filed on November 25, 2003.

Applicants attach a copy of each of the listed documents. Applicants respectfully request that the Examiner consider the listed documents and indicate their consideration by making appropriate notation on the attached PTO-1449 form.

In lieu of a statement of relevance or full translation of the non-English documents,

Applicants enclose an English language version of the attached Korean Patent Office Action

FINNEGAN HENDERSON FARABOW GARRETT& DUNNER LLP

1300 I Street, NW Washington, DC 20005 202.408.4000 Fax 202.408.4400 www.finnegan.com entitled "Notification for Filing Opinion," issued October 28, 2003, in a counterpart Korean application, citing and setting forth the relevance of KR 2000-0023851 and KR 2000-0006327.

Applicants note that EP 0 933 166 B1 and JP 2001-3036 are corresponding applications to KR 2000-0023851 and KR 2000-0006327, respectively.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present the relevant facts and law to the Office regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: January 22, 2004

David M. Longo Reg. No. 53,235

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INFORMATION DISCLOSURE CITATION

| Atty. Docket No. | 04329.2622 | Appln. No. | 09/932,943 | O I A |
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| Applicant | Gaku MINAMIHABA et al. | | | JAN 22 JOS |
| Filing Date | August 21, 2001 | Group: | 2823 | 7 2 2004 W |
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| U.S. PATENT DOCUMENTS | | | | | 40 | QEMARK ST | |
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| Examiner Initial* | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate | |
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| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------|---------------------|----------------------|-------|--------------|--------------------------|
| | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
| | 2000-0023851 | 04/2000 | Republic of Korea | | | No |
| | 2000-0006327 | 01/2000 | Republic of Korea | | | No |
| | 0 933 166 B1 | 08/1999 | Europe | | | |
| | 2001-3036 | 01/2001 | Japan | | | No |
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| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | |
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| Examiner Date Considered | | Date Considered |
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| *Examiner: | | sidered, whether or not citation is in conformance with MPEP 609; draw line in conformance and not considered. Include copy of this form with next blicant. |
| Form PTO 14 | 149 | Patent and Trademark Office - U.S. Department of Commerce |

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출력 일자: 2003/10/29

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발송번호: 9-5-2003-042051056

수신 : 서울 종로구 내자동 219 한누리빌딩(김&

발송일자 : 2003.10.28 제출기일 : 2003.12.28

장 특허법증사무소)

주섬민 귀하

특허청 의견제출통지서

출원인

명칭 가부시까가이샤 도시바_의_1 명 (출원인코드: 519980849672)

주소 일본국 도꾜도 미나또꾸 시바우라 1쪼에 1방 1고

대리인

성명 주성인 외 1명

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출원번호

10-2001-0049850

반영의 명칭

화학 기계 연마용 슬러리 및 반도체 잠치의 제조 밤법

이 출원에 대한 성사결과 아래와 같은 거절이유가 있어 특허법 제63조의 규정에 의하여 이를 뽑지하 오니 의견이 있거나 보정이 필요할 경우에는 상기 제출기일까지 의견서[특허법시행규칙 별지 제25 호의2서식] 또는/및 보정서[특허법시행규칙 별지 제5호서식]을 제출하여 주시기 바랍니다.(상기 제 합기일에 대하여 배화 1월 단위로 연장을 신청할 수 있으며, 이 신청에 대하여 별도의 기간연장승인 콩지는 하지 않습니다.)

- 1. 이 출원은 특허청구병위의 기재가 아래에 지적한 바와 밑이 불비하여 특허법 제42조제4항의 규정 에 의한 요건을 충족하지 못하므로 특허를 받을 수 없습니다.
- 2. 이 출원의 특허청구범위 제1항 내지 제21항에 기재된 발명은 그 출원전에 이 발명이 속하는 기습분이에서 콩상의 지식을 가진 자가 아래에 지적한 것에 의하여 용이하게 발명할 수 있는 것이므로 그러벌 제29조제2항의 규정에 의하여 특허를 받을 수 없습니다. [01 211]

인용밥영

- 1, 공개특허공보 2000-23851호(공개일 2000.04.25)
- 공개특허공보 2000-6327호(공개일 2000.01.25)
- 1. 이 출원은 특허청구병위의 기재가 다음과 같이 불비합니다.
- 가) 본원의 청구항5. 청구항14 및 정구항19는 1차 입자 직경이 20nm을 넘는 크기의 제2 콜로이드형 입자에 대해 기재되어 있으나, "20nm 이상"과 같은 상한이 불명확한 수치한정(발명의 상세한 설명에 의하면 제2 별로이드형 입자의 1차 입자 직경은 50nm 이하가 적합)으로 인하여 그 방명을 특정하기 곤란합니다.(특허법 제42조제4항제2호 규정).
- 나) 본원의 청구항18에는 "도전성 재료막 이외의 도전성 재료막"이 기재되어 있으나, 상기 "도전성 재료막 이외의 도전성 재료막"이 지시하는 비가 불명확하므로 그 방명이 명확하게 기재되어 있다고 곱 수 없습니다.(특허법 제42조제4항제2호 규정).

R-158

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2002-11-21 20:13 FROM: KIM&CHANG 741 0328

출력 일자: 2003/10/29

U-937

마입자력 포함하는 연마제 및 이를 이용한 반도체 기판의 연마방법과 인용발명2의 콜로이드성 실리 카의 1차 입자크기가 35nm 정도, 2차 입자크기가 20 내지 300nm인 연마입자결 포함하는 연마제와 유 사하게 대응되는 것이므로, 본원의 청구항1 내지 청구항21은 이 발명이 속하는 기술분야에서 통상의 지식을 가진 자가 상기 인용발명들로부터 용이하게 발명할 수 있는 것이므로 특허물 받을 수 없습 니다.(특허법 제29조제2항 규정).

[건 무]

103-11-21 20:18.

전부 1 한국공개특허공보 2000-23851호(2000.04.25) 1부 정부2 한국공개특허공보 2000-6327호(2000.01.25) 1부 끝.

2003.10.28

특허청

심사4국

반도체1심사담당관실

심사관 김갑병

<<안내>>

문의사항이 있으시면 # 042)481-5730 로 윤의하시기 바랍니다

· 특히형 직원 모두는 깨끗한 특허행정의 구현을 위하여 최선을 다하고 있습니다. 만입 업무처리과정에서 직원의 부조리행 위가 있으면 신고하여 주시기 비입니다.

▶ 흥폐이지(www.kipo.go.kr)내 부조라신고센터

Mailed Date: October 28, 2003

Filing Due Date: December 28, 2003

NOTIFICATION FOR FILING OPINION

Applicant: name: Kabushiki Kaisha Toshiba

Application No.: 10-2001-49850

Title of Invention: Slurry for chemical machinery polishing and a manufacturing

method for a semiconductor device

As the result of examination of the present application, the following reasons for rejection have been found and notified herein under Section 63 of the Patent Law. Any opinion about the rejection [Form 25-2 attached to the Regulations under the Patent Law] or any amendment [Form 5 attached to the Regulations under the Patent Law] must be filed by the above date. (The above date is extensible by one month for each request. No notification of allowing extension of time will be issued.)

[Reason]

- 1. The descriptions in the claims of the present application are unpatentable under the provision of Section 42 (4) of the Patent Law.
- 2. Regarding the invention described in claims 1-21 of the present application, in the technical field the invention belonged to before this application, a person skilled in the art can easily provide the invention using the references below. Therefore, the present invention is unpatentable under the provision of the main sentence of Section 29 (2) of the Patent Law.

[Remarks]

Cited inventions

- 1. Patent Publication No. 2000-23851 (April 25, 2000)
- 2. Patent Publication No. 2000-6327 (January 25, 2000)

1.

1) The descriptions in the claims of the present application are defective in

the following way:

Although claims 5, 14 and 19 of the present application disclose a second colloidal particle wherein the diameter of a first particle is larger than 20nm, a restriction of a value such as "20nm or larger" is unclear (according to the detailed description of the invention, 50nm or less is the appropriate diameter for a first particle of a second colloidal particle), and it is difficult to specify the invention (provision of Section 42(4)(ii) of the Patent Law).

- 2) Although claim 18 describes "a conductive material film other than a conductive material film", it is unclear what the "conductive material film other than a conductive material film" is. Thus, the description is not regarded as being described in a clear way (provision of Section 42(4)(ii) of the Patent Law).
- 2. Claims 1-21 of the present application are related to a slurry for chemical machinery polishing including polishing particles formed of colloidal particles having a association degree of 5 or less, or a slurry for chemical machinery polishing including a first colloidal particle having a first particle diameter of 5-20nm and a second colloidal particle having a first particle diameter larger than 20nm and including a polishing particle wherein the weight ratio of a first colloidal particle occupying the total amount of first and second colloidal particles is 0.6-0.9, and a manufacturing method of a semiconductor device using the above. In Reference 1, the average diameter of a first particle of

a colloidal silica is 10-100nm (preferably 30-60nm), and is similar and corresponds to an abrasive including abrasive particles in which the range of an average diameter of a second particle is 20-200nm (preferably 30-120nm) and a polishing method of a semiconductor substrate using the above, and an abrasive of Reference 2 including abrasive particles in which a diameter of a first particle of a colloidal silica is approximately 35nm and a diameter of a second particle is 20-300nm.

A person skilled in the art can easily perform the inventions of claims 1-21 of the present application, based on the cited inventions above and, therefore, the inventions are not patentable (provision of Section 29(2) of the Patent Law).

[Attachments]

- 1. Korean Patent Application No. 2000-23851 (April 25, 2000)
- 2. Korean Patent Application No. 2000-6327 (January 25, 2000)